IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CIVIL WRIT PETITION NO. 17251 OF 2006

DATE OF DECISION: December 01, 2006

Parties Name

Jitender Yadav and others

..PETITIONERS

VERSUS

State of Haryana and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASBIR SINGH
HON'BLE MR. JUSTICE PRITAM PAL

PRESENT: Mr. S.C. Kapoor, Sr. Adv., with Mr. Harminderjit Singh, Advocate, for the petitioners.

Mr. H.S. Hooda, A.G., Haryana, with
Mr. B.S. Rana, Addl. A.G., Haryana;

Mr. Deepak Sibal, Advocate, for respondent No.4

JASBIR SINGH, J. (oral)

Order.

Affidavits of twelve Municipal Commissioners have been produced by counsel for the petitioners. Without going into the controversy, as to who is responsible, in not calling the meeting, we are of the view that the writ petition can be disposed of by directing that a meeting of the Municipal Corporation be called to consider no confidence motion against respondent No. 4. In view of the fact that as many as 12 affidavits have been filed by the Municipal Councilors, which number is sufficient to convene the meeting, (affidavits in original have been handed over to the Advocate General, Haryana), to which both the parties have failed to raise any cogent objection. Accordingly, we direct the Divisional Commissioner, Gurgaon, who is present in Court, to issue notice to all the Councilors and

fix the meeting on December 22, 2006, to consider no confidence motion against respondent No. 4. At the time of meeting, the votes are allowed to be polled by way of secret ballot. This writ petition stands disposed of accordingly.

(Jasbir Singh)
Judge

(Pritam Pal)
Judge

December 01, 2006.
DKC